

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

GEORGE J. CHAPMAN,

Plaintiff,

vs.

DAN PACHOLKE, et al.,

Defendants.

No. 12-cv-5116-JPH

ORDER ADOPTING REPORT AND
RECOMMENDATION

BEFORE THE COURT for resolution is the Report and Recommendation entered on November 12, 2013, **ECF No. 60**, recommending Defendants' motion for summary judgment, ECF No. 44, be granted. Plaintiff timely filed objections. ECF No. 61.

Plaintiff's objection again argues he was improperly denied discovery. ECF No. 61 at 1. As the report recognizes, the objective of qualified immunity is to insure insubstantial claims against government officials are resolved prior to discovery and on summary judgment if possible. ECF No. 60 at 6-7; *Harlow v. Fitzgerald*, 457 U.S. 800, 818-19 (1982). Similarly, Plaintiff reargues claims of First and Eighth Amendment violations and retaliation. ECF No. 61 at 2-5. The report addresses these allegations.

After review, the Report and Recommendation, ECF No. 60, to grant

Defendants' Motion for Summary Judgment, ECF No. 44, is **ADOPTED in its entirety**.

IT IS ORDERED that

1. Defendants' motion for summary judgment, ECF No. 44, is GRANTED.
2. The complaint is dismissed with prejudice.

IT IS SO ORDERED. The District Court Executive is directed to enter this Order, forward uncertified copies to the parties and Magistrate Judge Hutton, and **CLOSE** the file.

DATED this 26th day of November, 2013.

s/Lonny R. Suko

LONNY R. SUKO
Senior U.S. District Court Judge